

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	Case No. 3:10-CR-73
Plaintiff,)	JUDGE VARLAN
v.)	
)	
DARREN WESLEY HUFF,)	
Defendant.)	

**MEMORANDUM OF LAW IN SUPPORT OF
MOTION FOR CLARIFICATION**

COMES the Defendant in the above-entitled action, Darren Wesley Huff, and would show this Court the following.

1. Without clarification by this Court on its position on the Second Amendment, U.S. Constitution, this Defendant cannot be assured that his rights under that amendment will be protected in the same manner as speech is protected under the First Amendment.

We reiterate this, keeping in mind the admonition from Chief Justice Marshall:

“The government of the United States has been emphatically termed a government of laws, and not of men. It will certainly cease to deserve this high appellation, if the laws furnish no remedy for the violation of a vested legal right.” *Marbury v. Madison*, 5 U.S. (1 Cranch) 137, 163, 2 L.Ed. 60 (1803).

Bradley v. Milliken, 484 F.2d 215 (6th Cir. 1973).

This is simply not true, as later decisions hold:

KOZINSKI, Circuit Judge, dissenting from denial of rehearing en banc:

Judges know very well how to read the Constitution broadly when they are

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Thank you,
Darren W. Huff